

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**195 E76 LLC,**

Plaintiff,

- against -

**Savaria Corporation,**

,

Defendant.  
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**ANDREW L. CARTER, JR., United States District Judge:**

On October 1, 2020, this Court issued an Order to Show Cause why the instant case should not be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) for failure to timely serve the complaint and summons. ECF No. 12. When Plaintiff had not responded by October 15, 2020, the return date on the Order to Show Cause, the Court issued an order dismissing this claim. ECF No. 13.

On October 21, 2020, Plaintiff filed a Motion for Reconsideration indicating that service had been effected in a timely manner, though proof of such service had not been filed, and that Plaintiff was in discussions with Defendant. ECF No. 14.

Upon consideration of Plaintiff's Motion and the supporting Declaration of Yuliya Vangorodskaya, the Court hereby GRANTS Plaintiff's Motion for Reconsideration. The Clerk of Court is directed to re-open this case. The Parties are ORDERED to file a joint status report on November 6, 2020.

SO ORDERED.

Dated: New York, New York  
October 23, 2020

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#: \_\_\_\_\_  
DATE FILED: 10/23/2020

20 Civ. 2541(ALC)

**Order**

A handwritten signature in black ink, reading "Andrew L. Carter, Jr." in a cursive style.

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ANDREW L. CARTER, JR.  
United States District Judge